

# EXHIBIT A

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

NHC LLC,

Plaintiff,

vs.

CENTAUR CONSTRUCTION COMPANY INC.,  
et al.,

Defendants.

) Docket No. 19 C 6332

) Chicago, Illinois  
) February 9, 2024  
) 9:15 o'clock a.m.

TRIAL TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE MATTHEW F. KENNELLY

APPEARANCES:

For the Plaintiff: DAVIS MCGRATH LLC  
BY: MS. GINI S. MARZIANI  
125 South Wacker Drive, Suite 300  
Chicago, IL 60606  
(312) 332-3033

For Defendant SMITHAMUNDSEN LLC  
Peter Alexopoulos: BY: MR. CONSTANTINE GAVRILOS  
MS. KIMBERLY ANNE HERRING  
150 North Michigan Ave, Suite 3300  
Chicago, IL 60601  
(312) 894-3329

Court Reporter: MS. CAROLYN R. COX, CSR, RPR, CRR, FCRR  
Official Court Reporter  
219 S. Dearborn Street, Suite 2102  
Chicago, Illinois 60604  
(312) 435-5639

1 talking about the income, and --

2 THE COURT: Dog?

3 MR. GAVRILOS: B, as in bravo.

4 THE COURT: Oh, B, as in bravo. Okay.

5 MR. GAVRILOS: It set forth the income and asset form  
6 and the types of questions that are --

7 THE COURT: I'm looking at 2-1401. Is that what I'm  
8 supposed to be looking at?

9 MR. GAVRILOS: No. 735 5/2-1402, subsection (b)(1).

10 THE COURT: That is what I'm looking at. I'm sorry.  
11 I misspoke. Citation notice. Okay.

12 All right. Can I hear your thoughts on that,  
13 Ms. Marziani? In other words, the "that" is this: You've  
14 served a citation that has a list of requests, you find out  
15 that there are additional documents, you ask for them in some  
16 other form, letter, email, whatever it is.

17 The argument is that's not good enough. It has to be  
18 in a citation or an amended citation.

19 What's your response to that?

20 MS. MARZIANI: My response, your Honor, is that we  
21 understand that it can be in writing or orally requesting  
22 these additional documents.

23 THE COURT: The idea being that it's not much  
24 different from any other deposition?

25 MS. MARZIANI: Exactly.

1 THE COURT: Yeah. I agree with her.

2 So this is what needs to happen. Because I think the  
3 questions that I've asked basically kind of permeate all of  
4 these. And there's a couple of other issues that we'll talk  
5 about in a second.

6 So I'm overruling the objection -- the objections to  
7 requests that weren't made in the citation form. As long as  
8 the request has been made at some point during the time period  
9 the citation is pending, then I think that as a matter of  
10 form, it's appropriate.

11 Substance, different story. I get your argument on  
12 that.

13 On the question of completeness of production -- and,  
14 again, I'm looking -- and you'll see this when you go back and  
15 look at the hard copy of the thing -- under Mr. Tsaparas, and  
16 it's the same for the others, it's sub items 1 and 3,  
17 documents were produced or documents -- we did a search,  
18 couldn't find anything more, what you're going to need to do  
19 for the judgment debtors is provide an affidavit of  
20 completeness. We've done a search, here's what the search is,  
21 we've produced everything we've got.

22 If you want to hold off waiting to do that until  
23 you've responded to these other requests where I just  
24 overruled the objection, that's fine. Okay? We'll talk about  
25 dates for that in a second.

1 MS. MARZIANI: Correct.

2 THE COURT: Okay. I'm going to extend them to March  
3 the 31st. March the 31st is Sunday. April the 1st. And that  
4 means we'll have to -- whatever hearing we have to have will  
5 have to be before that. And I'm doing that because I'm not  
6 satisfied that they've been complied with in their entirety  
7 yet, just to be clear about it. Not saying they haven't been.  
8 I'm just not satisfied that they have been.

9 Okay. Thanks. Take care.

10 MR. GAVRILOS: Thank you, Judge.

11 MS. MARZIANI: Thank you very much, your Honor.

12 (Which were all the proceedings had in the above-entitled  
13 cause on the day and date aforesaid.)

14 I certify that the foregoing is a correct transcript from  
15 the record of proceedings in the above-entitled matter.

16 /s/ Carolyn R. Cox, CSR, RPR, F/CRR May 2, 2024  
17 Official Court Reporter  
18 United States District Court  
19 Northern District of Illinois  
20 Eastern Division  
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